

# **EASTERN MONTANA RESOURCE ADVISORY COUNCIL MEETING**

**Sidney, Montana**

**October 13, 1999**

## **Attendance**

RAC: Bill Schwarzkoph, Don Allen, Becky Kallevig, Bernie Lea, Art Hayes, Bill Kennedy, Larry Pilster, Dwayne Andrews, Marty Ulrich, Don Woerner, Eldon Rice

Public: Patrick Erger, BOR, Jerry Nypen, Lower Yellowstone Irrigation District, Don Hyypa, MT FW&P

BLM: Tim Murphy, Sandy Brooks, Marilyn Krause, Todd Christensen, Phil Gill, David Jaynes, Pam Wall, Dave Squires, Linda Reder

## **Welcome/Introductions**

The new RAC Charter and an updated member list was passed around. Marilyn welcomed everyone and after introductions the group reviewed the ground rules and the agenda. It was agreed that later in the agenda, time permitting, the group would provide a short history of where they've been and where they are headed for the benefit of the new members.

Updates will be provided for all members following the meeting.

## **Field Manager Updates**

Sandy - The Billings FO (BiFO) is in the process of planning to build an Interpretative Center at Pompeys Pillar at an estimated cost of \$5.4 million. In FY99 we were appropriated \$2 million from Congress to be matched by the Pompeys Pillar Historical Association. We are looking for funding sources for the remaining \$1.4 million. The DOT has proposed to put in a rest area at this exit and we are considering partnering with them to co-fund the sewage system, drive in area, etc. The EA is just getting started, and the firm hired will lead this process with plans to hold the first public meetings sometime in January. For the last three weeks the BiFO has conducted a number of archaeological digs in the unplowed areas in the Pompeys Pillar area to avoid placing the center where there might be something significant.

We hope to have the architecture firm on board soon and the first renderings available by the first of the year. The fund raising group will use these renderings in their plans to sell sandstone signatures for the front of the building. Another fund raising planned is to have Steven Ambrose as a guest speaker in Billings on May 11, 2000.

Another issue is the lease for drilling in Weatherman Draw. This is a highly significant area for rock art and unique prehistorical panels. We have found so far that the actual drilling won't affect the panels,

however this is a traditional cultural property used for religious purposes and therefore we are continuing to work on ways to mitigate these issues. We are getting closer to a final EA, but there are concerns that it will not be possible to mitigate all of the concerns with the area. We have recently contacted the Advisory Council of the Historic Preservation who have agreed to become involved and provide assistance. If we are unable to find no significant impacts because of the cultural concerns, we will then move to an EIS.

Starting this fall we will begin revising the Herd Management Plan (HMP) for

the Pryor Mountains Horse Range. It is anticipated the first public meeting will be held after the first of the year. No plans for a gather will be made until the HMP revision is completed. Recently the Pryor Mountain Coalition, comprised of a number of local and national groups, have held meetings to provide recommendations to the BLM during the HMP revision. They are recommending closing the Burnt Timber Ridge Road which goes through the middle of the horse range so the horses and wildlife will have more solitude from human intrusion. We expect this to be controversial.

We had been looking to acquire a 400 acre parcel along the Yellowstone River on the Eagles Nest Ranch. The ranch just sold and so we are no longer pursuing this.

The BiFO is going through management planning for both the Four Dances (previously Sacrifice Cliffs) and the Sundance Lodge (previously Altmann) Areas. Comments from the public meetings earlier this year are being analyzed. A local horse group had originally wanted a cross country horse jumping facility at Four Dances, and though another area has been identified for this, a determination will still have to be made on whether to have dispersed horse use at this site.

Tim - Spring Creek Coal Company has a lease/buy application in for an additional 16 million tons alongside a lease for an additional 62 million tons they have in with the State of MT. We are combining NEPA efforts with the State to produce one NEPA document for these leases.

Water concerns remain the primary issue with Coal Bed Methane activities. We are still waiting for the EA from Redstone Gas Partners in regards to their application to drill 250 wells. Some of the water issues the DEQ is struggling with and studying are how much water can be put in the Tongue River, what quality, and what times of year.

Art commented that not only is water quantity an issue but the quality is becoming more of an issue. The water may be potable, but it is not necessarily fit for irrigation due to the sodium content. From looking at the area being leased he estimates that the natural flow of the Tongue River will almost be doubled, which brings up other issues such as channel concerns.

Currently there is not a lot of hydrology information available. The BLM is looking at authorizing some wells to monitor and control and gather information from.

A question was asked if there is any science or method to remove the sodium from the water. There is a chemical process to do this however, the BLM is starting to look at injection as an alternative, possibly in a phase in situation.

The BLM had the opportunity to complete several fuel manipulations this year and were also able to get some plans on the shelf for future prescribed burns. One area we will be looking at for future opportunities are the sage brush, grassy ecosystems. These areas will be sensitive due to sage grouse concerns.

We are proceeding with the Big Sky By-Way from Terry to Wolf Point Bridge. Currently Terry and Circle are developing Kiosks to be placed along the By- Way.

Through Prairie County's efforts in working with the BN railroad we have been granted a pass over the tracks at the Powder River Depot Site allowing access to the BLM lands there. In order to develop and co-fund this site the BLM will be working in partnerships with the County, State and FW&P. This is not only a historic site in regards to Lewis and Clark and the Calvary, but also is a great fishing access site that needs to be developed.

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### **Report by Access Sub-Committee**

Minutes from the last access sub-committee meeting were passed around. There are two issues involved in this process, OHV use and access. The Knowlton area, south and east of Miles City, was chosen for this process because of its historical use, checkerboard land pattern, and mixed land ownership. The sub-committee felt that possible land exchanges will need to be looked at at some point in this process.

The next steps to be taken are to determine what the lands will be used for and what is the access to the BLM lands. The importance of getting the landowners involved throughout this process was also stressed. It was anticipated that once the map showing ownership, road designations, etc. is completed that interfacing with the landowners would then begin at that time, shortly after the first of the year.

The sub-committee asked for commitment of BLM resources throughout this process. Once the OHV EIS is completed, the BLM is obligated to conduct travel management planning. This process is simply getting started a little early on the overall planning.

### **BOR Status of Withdrawn Lands Along the Yellowstone River**

Several handouts were passed around including maps and a draft Conservation Easement for everyone's review. In 1995 the BOR began an initiative to divest themselves of their interest in the Lower Yellowstone Irrigation Districts by transferring title to the various local irrigation Districts (IDs). Since that time they have been gathering data associated with fish entrainment and fish passage issue associated with the Intake Diversion Dam. They hope to have the studies done by the end of December.

The local ID associated with Joe's Island is interested in maintaining all of the island as an integral part of the project, in part because of the overflow channel around the island and also to help ensure the river maintains its current channel. However, the ID is not interested in administering the recreational aspects of the land and would like to grant to the State the authority to administer that area through the use of a Conservation Easement.

Concerns were raised that if the land goes out of BOR administration what are the chances of it ever going into a single private ownership? If the ID decides to liquidate some of its property what happens to that cash? The Conservation Easement was drafted to protect the public's interest in perpetuity and runs with the land. It states "If the Project Works become useless or are no longer needed for the purpose of diverting and conveying public water for public purpose, then the project will be gifted to the State."

A question was asked whether the IDs are using any Federal tax dollars in their operations, which they are not. A question was also asked on how much money the IDs will pay for the transfer. They will not be obligated to pay any funds as the principal on the Projects has already been paid back, the title just

has remained in the BORs name.

A question was asked regarding the land labeled to be reverted, are there any pitfalls in the Congressional process for them not to be given back to the BLM? There are four categories of land associated with this process. There are those along the river itself that if they are not accessible by road they are by water and are beneficial to the public, especially in light of the Lewis and Clark Initiative. There is one parcel off the river with historical value. Richland County has developed a park on a parcel which the BLM would like to see go to the county. There are also several parcel with buildings on

them and the BLM is not sure how they will handle these because of associated issues with buildings.

The RAC asked that they be kept informed of this process.

### **Update on Standards and Guidelines and Permit Renewal**

The BiFO had 206 allotments with expiring permits to do this year. With two staff members working on this they were able to complete 67 assessments. Of these, three were in unsatisfactory condition and adjustments will need to be made. The form developed by the RAC for S&Gs was used in this process. They were also able use one EA to cover the allotments that are meeting the standards or are making significant progress towards meeting. The BLM is assuming we will get an extension on those allotments not completed through invocation of the Administration Procedures Act which is an act that allows action on public lands to continue until the BLM can complete the necessary workload.

The MCFO assessed 1531 allotments in FY99, the majority of which were small allotments with no concerns. They also grouped allotments under three umbrella EAs. Of those assessed, 15 of them, even though they passed, will still have changes made for improvements and 8 of them that did not pass will also have changes incorporated into the operation to meet S&Gs. Even though the numbers will be smaller next year, the remaining allotments will require more time as they have significant acreages and/or concerns.

The possibility of a RAC field trip incorporating a working allotment visit and assessment process next summer was discussed. RAC members are also welcome to go along individually at any time.

### **Public Comment Period**

As no members of the public attended, the group took this opportunity to present informal historical perspectives of the RAC's efforts since inception for the benefit of the newer members. Topics discussed were Travel Management, Standards and Guidelines development, the Predator Control Agreement with the counties, and Access.

### **Status of OHV Amendment**

The draft OHV EIS is being printed and copies will be mailed to everyone within the next week. Public meetings, some in conjunction with the FS, will be conducted across the state during the comment period, which ends , and that schedule will also be mailed to everyone. So far the BLM has received comments on every issue imaginable. It was felt that a number of folks that commented misunderstood the proposal in that they thought they would lose all access to public lands if a road were closed to travel.

A question was raised on where the proposal was in regards to the game retrieval issue. In Eastern MT most folks wanted one time big game retrieval in accordance with hunting proclamations. In Western MT most folks did not want game retrieval. These differences are reflected in the draft OHV EIS.

### **Open Discussion/Q & A**

Don quoted from an article that has been in the papers that leads people to believe that the BLM distinguishes between locals and tourists regarding a fee system on the Missouri River. This is a concern and Don asked for

clarification on this. Sandy will do followup with the State Office.

Another concern addressed was with the expected increased use on rivers and associated issues, such as safety and health, what actions are being taken to mitigate these issues and whose responsibility are they? One step the BLM currently is taking is in publishing boater guides that will inform people on what to expect on the rivers. An update on Lewis and Clark facilities and responsibilities will be a topic at the next meeting.

### **Evaluation and Wrap-up**

The next RAC meeting is scheduled for:

Date: January 27, 1999, with a social event planned for the evening before.

Location: Billings, at the new SO

**EASTERN MONTANA RESOURCE ADVISORY COUNCIL MEETING****Lame Deer, Montana****July 15, 1999****Attendance**

RAC: Bill Schwarzkoph, Don Allen, Becky Kallevig, Bernie Lea, Robert Phipps, Ken Deaver, Bill Kennedy, Larry Pilster, Bill Milton, Ernie Robinson, Dwayne Andrews, Jim VanArsdale

Public: Joe Waters, Gail Small, Joe Little Coyote, Sr., Kenneth Kaline, Hymn Alexander, Freida Standing Elk

BLM: Tim Murphy, Sandy Brooks, Marilyn Krause, Todd Christensen, Dave Breisch, Linda Reder

**Welcome/Introductions**

Marilyn welcomed everyone and the group reviewed the ground rules and the agenda. Everyone was reminded of the Quietus Loop Tour scheduled for Saturday July 17. Of the RAC members, Bernie planned to attend.

**Field Manager Updates**

Tim and Sandy thanked the three outgoing RAC members, Jim, Bob, and Dave, for their efforts and endeavors as RAC members.

Sandy - The Billings FO (BiFO) has been holding public meetings and working with conservation groups for management of the Sundance Lodge and Four Dances Natural Areas. Recently they've become aware of interest in providing a cross country course for horses at the Four Dances Natural Area. Some opposition to this has been expressed. The comment period is open until August 1 for both areas at which time the BiFO will start drafting management plans.

The Weatherman Draw EA was sent to the Solicitor's office for an initial review. There has been a similar lawsuit with the FS where an O&G lease was based on the general Land Use Plan. We are still waiting to hear back from the Solicitor.

The MT DOT has contracted with an environmental firm to produce an EA for the Rest Area Phase of the Pompeys Pillar Interpretative Center. Clark Day at the Pillar will be held July 25, which is the anniversary of Clark's visit. This year it has been expanded to include a campout with a number of events the evening before. A flyer was passed around and everyone was encouraged to attend.

A field trip will be held for Congressional staffers the week of August 16-20. They will be in Billings on the 20th and will visit Pompeys Pillar and the Four Dances Natural Area and possibly the Sundance Lodge Area and the new tanker base. Anyone interested in attending should contact Sandy.

A Wild Horse and Burro Adoption will be held at Britton Springs, on August 28. The horses will not be from the Pryor Range, but shipped in from the Southwest.

The BiFO move to the new building will commence July 16. They will be open again on August 2.

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The Public Lands Foundation will be holding a convention in Billings, September 15-19, which is open to everyone. The theme is: Access to Public Lands. The agenda was passed around and Sandy will be on a panel addressing the OHV process.

Tim - On the fuels management side of fire management we are making headway in changing our direction to manage fuels to enhance watersheds, forests, wildlife resources and at the same time reduce fuel hazards.

On the readiness side, we just had a National Review of our fire division. Areas in which we received 'attaboys' included training, equipment, the esprit de corps among employees, and the cooperation across agency lines.

We will be converting our Single Engine Air Tanker plane (SEAT) to 2 smaller 400-500 gallon SEATs. This will allow them to utilize landing strips at Jordan and Colstrip in addition to Miles City, resulting in faster and more efficient fire suppression capabilities.

We now have one leg of a Big Sky Back Country By-Way from Terry to Wolf Point. The idea is to slow folks down, get them off the beaten track, and introduce them to local resources and culture. Community driven kiosks will be placed in Terry, Circle, and Ft. Peck. The Wolf Point Bridge kiosk dedication will be held July 26.

We have completed helicopter inventories of a million plus acres of noxious weeds in concert with local counties and are continuing to work with these counties to treat the infestations. We also just received a grant from the National Wildlife Federation to continue the inventory work.

The now completed Quietus Loop road is an example of how a modest amount of engineering and labor can buy a lot of access to public lands.

In regards to the statewide amendment on travel management, there are a number of managers with the FS who are proposing limiting travel to existing roads and trails, which de facto closes roads. The BLM supports the existing initiative where any road closures would be done at the local level.

The US Fish and Wildlife Service is in the final stages of analyzing whether the black tailed prairie dog should be listed. The comment period closed July 19.

### **Report by Access Sub-Committee**

Minutes from the access sub-committee meeting were passed around. The sub- group determined that rather than identify this process as an access acquisition process to identify this as a travel management program. The approach would be to go on the ground with interested parties and first identify why the public would want access to that particular land before proceeding with the access plan.

The group suggested the Knowlton area be used as the starting point for this effort. There are a lot of small scattered BLM tracts and intermingled State lands in this area which also has a history of high use. This area is also under the Big Dry land use plan which limits travel to existing roads and trails. This process will also give the group an opportunity to use the travel management guidelines. The Travel Management sub-committee recently met with Larry Hamilton who is very supportive of the EMRAC in proceeding with activity planning in advance of the statewide effort. In essence, this ties the access issue

and inventory process together.

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A question was raised as to how did the sub-committee foresee moving on in the future to other areas? It was felt this process would get to the point where the RAC would not be involved at all. The process would be initiated by local groups who would approach the BLM with access issues.

A comment was expressed on how the Northern Cheyenne culture has been diminished as a result of a limited ability to get out on the land.

### **Update on Travel Management/Travel Plan Inventory**

The BLM has received over 3400 comments on the OHV proposal. The EIS should be out in September with more public meetings held in November. The Record of Decision should then be out by March or April of 2000.

One large issue is permit authorizations. Folks in western MT and the FS want to preclude permit authorizations and deal with them on a case by case basis. Those in eastern MT recognize the need to have administration of permits built into the proposed effort.

The group agreed to recognize the Knowlton area as the starting point for inventory and travel management. The sub-committee will come up with several alternatives based upon some to be determined criteria and bring them to the next RAC meeting.

### **Public Comment Period**

Joe Little Coyote, Sr., Economic Development Planner for the N. Cheyenne Tribe In the past the tribe has entered into tri-agency agreements with BLM, USGS, and BIA dealing with issues such as ingress/egress, cultural, the permitting process and so forth. Activities, such as coalbed methane development, on and near the tribal lands sometimes conflict with tribal interests and they would like to know the process to develop interagency agreements to address these types of issues today. They also would like to know the regulations involved and wish to be involved in the communication and coordination from the start.

Kenneth Kaline - The reservation is only about a half million acres in size and we need to work together to expand not only the hunting and fishing rights but also other rights of the N. Cheyenne Tribe.

Hymn Alexander, Resource Manager of the N. Cheyenne Tribe Sawmill in Ashland - They have a timber harvest program between the sawmill and the Tribe in which they are allocated a certain amount of timber over the next 10 years. This amounts to about 40% of their total harvest. The remainder comes from other sources such as the FS, State Lands, and private ownership.

Recently they were able to harvest some timber off BLM lands from the Bradshaw Fire salvage sale. They request consideration to be allocated and to harvest additional BLM timber resources on lands adjacent to and surrounding the N. Cheyenne Reservation.

Freida Standing Elk - Activities that occur in surrounding areas will have an affect on the residents of the reservation. The generations of today are expected to carry on what passing generations have left. There is great value and respect for the land and for the N. Cheyenne heritage. They wish to continue to see clean air, animals roaming freely, native plants and so forth and to pass this on to the next



generations.

Gail Small, Attorney for Native Action - Tribes are a Governmental entity and all Federal agencies have a unique trust relationship to the tribes. There have been no coordinated natural resource management efforts, particularly in

the Tongue River Valley. The Tribe, itself, has been under intensive efforts to deal with the constant issues that arise in the Tongue River valley. Some of the issues are the Alluvial Valley Floor exchange, the Tongue River Railroad proposal, and activities by Montco. The Tribe is the largest population in the area and what occurs in surrounding areas will affect them. There is a need to develop a more coordinated approach for management of the valley. The Tribe needs to be a part of the whole management and planning of this entire area.

Other issues that need to be addressed are: timber production; grazing permits on adjacent lands for young Indian ranchers; cultural sites that are off the reservation; plant gathering; hunting privileges in traditional areas; water rights, we need to protect water from pollution associated with development; fishing, both quality of and opportunity for; and contracting, the Tribal Office needs to be involved in deciding on who gets contracts.

Ernie Robinson - Indian culture has been important in the development of the United States and as Tribal leaders we want to continue to contribute to the well being of everyone. There is a concern that we may be missing opportunities that are out there due in part to a lack of coordination between Federal Agencies. One such area is in dealing with NEPA. The Tribes have some inroads in the ability to contribute to this process, such as in the inventory of cultural resources. As we build roads or harvest timber, as in a lot of other activities we do, we may inadvertently be destroying other resources because we don't know they are there. History needs to be preserved as well as the land. We need to ensure we bring all players to the table and that we truly consider all of the resources.

Joe Waters, Tribal member - As a Native American we are connected to the land. We are here for only a short while and preservation of the land is critical to our future generations.

### **Update on Standards and Guidelines and Permit Renewal**

A spreadsheet was passed around identifying the MCFO allotments where assessments have been done, are ongoing, and which are planned for this fiscal year. The MCFO has a significant workload and will probably not complete all of them this year. There are a number of things going on at the national level to grant a deadline extension.

BiFO has hired a temporary person to help on assessments which has worked well for their staff. They feel they will be able to complete assessments and renew permits on about 60% of the permits that are expiring.

Senator Burns will be introducing legislation that will allow the permittee to use his expiring permit as is until the analysis is done.

### **Tribal Issues - Procedures for Developing Methane**

The Supreme Court recently made a decision that methane gas is a part of the Oil and Gas estate, not the solid minerals estate. On the Northern Cheyenne Reservation all of the mineral resources are held in trust by the US Government for the Tribe. The Government's trust responsibility is to work with the

Tribe for either the protection and conservation of those resources or the development of them. Because of this trust responsibility, Federal Regulations apply for any exploration or development of mineral resources.

There are three main methods for developing mineral resources on the reservation:

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1 - Under the Indian Minerals Development Act, the Tribe would enter into an agreement with a company. The BLM would be involved in developing, reviewing, and administering the agreement.

2 - The Tribe can lease a geographic area for mineral development.

3 - The Tribe can form its own company. This company can then explore and develop these resources on their own or they can contract with another company to do so.

The BLM's involvement in any exploration or development of mineral resources would be in the permitting and regulatory processes.

### **Evaluation and Wrap-up**

The access sub-committee's next meeting will be held in Miles City at the Field Office on August 13.

The next RAC meeting is scheduled for:

Date:      October 13, 1999, with a social event planned for the evening      before.

Location:   Sidney

## **EASTERN MONTANA RESOURCE ADVISORY COUNCIL MEETING**

**Miles City, Montana**

**April 28-29, 1999**

### **Attendance**

**RAC:** Eldon Rice, Bill Milton, Ken Deaver, Dwayne Andrews, Don Allen, Bill Kennedy, Bernard Lea, Bucky Heringer, Jim VanArsdale, Becky Kallevig, Ernie Robinson, Bill Schwarzkoph, Robert Phipps, Dave Harris, Larry Pilster

**Public:** Gene Buxcel, Prairie County Commissioner; Todd Devlin, Prairie County Commissioner; Lon Reukauf, Secretary of Prairie County Land Planning Board; Don Hyypa, Regional Supervisor, MT Department of FW&P

**BLM:** Tim Murphy, Sandy Brooks, Marilyn Krause, Aden Seidlitz, Todd Christensen, Dave Breisch, Dave Squires, Ladd Coates, Holger Jensen, Hugh Livingston, Linda Reder

### **Welcome/Introductions**

After introductions, Marilyn followed up with housekeeping items and then reviewed the ground rules and the agenda.

### **Field Manager Updates**

Sandy - The Billings Field Office is moving forward on the permit renewal process and anticipate completing this effort by September 30. A number of groups have filed suit against the BLM as a result of the permit renewal requirements. They have two main points of concern. Previously NEPA was not required beyond the specificity of the grazing EIS for permit renewal, but, as a result of the Comb Wash litigation, all renewals now require updated and allotment specific environmental review. This is a change in policy that did not go through the proper procedures. The second concern is, if NEPA is not completed by September 30, permittees will be forced to move their livestock off the public land without any recourse.

Dave Harris said he understands from discussions with permittees in Prairie County that it was understood that all Grazing Record files stated S&Gs were not being met. As only a few assessments have been completed it was unclear what in the file was being referred to and more information would be gathered.

The BiFO is proceeding slowly on the Weatherman Draw EA. There are concerns for the Native American religious values and rock art and the need to address oil and gas leases. All options are being looked at.

The Sacrifice Cliff/Four Dances Natural Area Land Exchange has been completed. They are writing a management plan that will go out to the public for comments.

The State Office and BiFO will be moving to the new building the last week of July. Things will be

chaotic during this transition. Once settled, they will hold an open house.

There will be a Congressional tour during August and more than likely they will visit Pompeys Pillar, Four Dances Natural Area and the Altman area.

Tim - The Statewide Travel Management efforts are still on track. The alternatives being looked at are in line with the RACs' recommendations.

A RAC comment and concern addressed was that the impression from the mining industry and OHV users in Western MT is that these groups are not happy with the direction of Travel Management in MT. If this statewide initiative blows up politically in the West, can we deal with it separately in the East?

There are still high hopes and expectations for the statewide effort to proceed. BLM and FS will have two separate decisions. The BLM will sign a Record of Decision (ROD) to deal with BLM land and the FS will sign a ROD to deal with FS land. The effort is meant to be contemporaneous, but if it doesn't work the BLM and FS could split.

Everyone received a copy of the recently signed Vegetative Use Instruction Memorandum that not only deals with Echinacea but also many other plants and berries. The State of MT has enacted legislation that will place a three year moratorium on the harvest and collection of seven species of wild medicinal plants from State Lands. During this moratorium, the MT BLM will not authorize commercial use of these medicinal plants. We still provide some opportunities for recreational and personal use (small quantities).

We are proceeding with plans for placing a kiosk at the Wolf Point Bridge. The Big Sky By-Way, a proposed back country byway from Terry to the Wolf Point Bridge is going well. The involved communities are very supportive and unified in this effort.

There is a tremendous amount of work going on in the Fuels Management and Readiness for Fire Suppression areas. There is an acute need for a balance between managing hazardous fuels and allowing fire to play its traditional role, but still being ready to conduct suppression swiftly when it interfaces with crops, private land, property, etc. We are looking for areas where we can apply fire through prescription in two ways. Not only by introducing fire but also through the use of mechanical means, such as small scale timber sales that not only would provide for commercial use but would also help reduce hazardous fuels.

A number of folks have spent a lot of time on the Makoshika MOU plan amendment. The group is working to come in line with the recently passed legislation on this park.

There will be a Wild Horse and Burro Adoption in Miles City on June 12.

Two companies, Pennaco and Redstone Gas Partners, have coal bed methane leases, and two issues facing the BLM are water quantity and water quality. The production of coal bed methane requires tremendous amounts of water. Water quality ranges from trout pond quality to salty. The concern is what is the best management practice for disposal of this water given both quality and quantity. In the next two weeks hydrologists will advise on the effects of the range of salt and what management practices should be applied in both the exploratory and extended long term production phases.

For the first time in a number of years the MCFO is doing a salvage timber sale as a result of the Bradshaw fire.

## **RAC Goal Development**

Dwayne brought up the need for goal development at the previous RAC meeting. He mentioned that any group over time needs to reassess where they are headed and re-evaluate their direction. The RAC accomplished S&Gs and then recognized Travel Management as the second major issue. It is necessary to keep these kinds of efforts and that kind of focus. The RACs' role should be more than just an information exchange with the BLM as that does not hold enough value. And the only way to do this is to take a hard look at where we're going and what purpose we're serving and reaffirm that.

The other comment is if what we do doesn't result in some sort of improvement in the BLM's way of doing business, in their relationships, and on the ground then we (RAC) are not accomplishing anything of value. A lot of time and effort was put into Travel Management but it seems to be out the window because of the process the SO initiated for the statewide effort with the FS. Nothing has changed on the ground yet and there is no end product.

A comment expressed was that the RAC serves at the pleasure of the BLM and what is it that they want from the RAC?

Sandy's view is the RAC members are the BLM's feelers in the community and provide invaluable feedback to the BLM as well as provide information and knowledge to their community contacts.

Tim's view is that its been easy to agree on the "large" issues of S&G, Travel Management, and access, but there are a number of smaller issues that do have impacts on the ground and would like to have the leeway to interject these other issues and, if necessary, to form ad hoc committees for recommendations on these issues.

Group discussion followed on the members' views. No decision was made.

## **By-Ways**

There is a proposal to turn the route from Terry to the Wolf Point Bridge into a Big Sky Back Country By-Way. The BLM has land on the south side of the Wolf Point Bridge where an informational kiosk and parking lot will be sited. The kiosk will cover two themes, the historic bridge and Lewis and Clark.

Kiosks will also be placed in Terry and Circle along the route to tie in with the Wolf Point Bridge kiosk and By-Way. The local communities are very involved in helping determine sites and also in personalizing their portions of the kiosk information base.

A question was asked on who would maintain the kiosks? Reciprocal commitments will be worked out among the BLM and the groups at each of the three kiosk sites.

A concern was also voiced regarding vandalism. The groups are aware of and are addressing this concern and issue.

A question was raised on what does the designation, By-Way, do? It is a way to get people off the beaten track and provides a chance for the local communities and BLM to tell a story. It is an opportunity for the local community to express their customs and culture, and an economic opportunity.

## **Terry Badlands Wilderness Study Area**

Dave Squires gave a brief overview of the status of Wilderness in BLM Montana. A study was finished in 1991, signed by the Secretary of the Interior who passed the MT BLM recommendations along to the President who signed them. This effort is now waiting for a bill to be sponsored to address the Wilderness issue. Documentation regarding the Terry Badlands WSA wilderness inventory, study, and EIS was mailed to RAC members and Todd Devlin for review prior to the meeting.

Todd Devlin, Prairie County Commissioner, then addressed the RAC. Prairie County feels the need to address some facts about the WSA. Copies of the points/facts were made and passed around.

At least 18 years have passed since the WSA was established and Prairie County feels it is time to hear what the public wants. They intend to have public

meetings, seek alternatives, select a preferred alternative with the intent of coming back to the RAC with their findings and decisions. The process would involve all interested parties including interests from outside the local area.

A question raised by a RAC member was that what they proposed to do had already been done and so why were they doing it again? Instead, why didn't they see if a Montana senator or representative of our congressmen would carry a bill that would only affect the Terry Badlands WSA and see what the public response to that would be.

The Prairie County group have already contacted Burns', Baucus', and Hill's offices and were informed they need to hold public meetings and get public support for this first. They tentatively are considering having three or so meetings throughout the next year to galvanize public support and then hopefully one of our congressmen will support a bill. They want something to happen. This area was never intended to be a WSA indefinitely and the status quo is not acceptable to them.

A question was asked on the status of the land under the WSA designation. To make any changes or improvements on the land the criteria is that it needs to truly enhance wilderness characteristics. It is not any simpler to put in a project once it becomes wilderness as opposed to a study area.

The RAC was asked by Todd Devlin to render a decision statement supporting Prairie County's initiative. The RAC acknowledged the issue is important to the local community and agreed to receiving an update as the process moves along. The RAC charter provides for recommendations by the Council to BLM regarding issues on public land for which the BLM has authority. BLM has completed the inventory and report phase concerning Terry Badlands WSA. The BLM is managing the WSA under interim wilderness guidance and will do so until directed otherwise through legislative action. The RAC will limit their recommendations to BLM only, and regarding WSAs, the recommendations will regard management under interim wilderness guidance.

### **Wrap-up Day 1/ Q&A Time for Miscellaneous Topics**

It was suggested the Travel Management core team and Tim and Sandy meet with the State Director regarding the proposed Travel Management guidelines. There is concern by the RAC that the effort will die and it is not a small matter to the RAC. Everyone agreed and a meeting will be arranged.

A question asked was if there were any permits that had S&Gs completed to date and of the permits it's anticipated assessments will be rendered this year how many will meet S&Gs? Of the assessment already completed most have met S&Gs, however several have not. It is difficult to determine how

many in the future will not meet S&Gs.

## **Public Comment Period**

No members of the public were present for comments. Discussion turned to Travel Management (TM) issues. A question was asked if the RAC could start the process of TM knowing no decisions can be made until the Statewide amendment process is completed?

A number of things can be done, such as inventory, planning out roads, and community involvement. There will be a need to go beyond the specific areas that will be addressed in the Statewide amendment. However, the process should not get to the point where a proposal or alternatives are being developed. This should be an awareness exercise with local people of what is actually going on and what needs to be done to make a decision. What can be done and what was supported by the RAC is to initiate outreach in communities

to identify travel management needs, and in limited areas an inventory of roads can be initiated. This is appropriate and can allow travel management planning following the amendment work to move forward in a timely manner.

There are three definite vacancies on the RAC of the five terms that expire in August, two in Category 1 and one in Category 3. People can be nominated by a group or can nominate themselves. This nomination period closes May 7.

## **Access**

Given the BLM land pattern there is not a shortage of access issues. The BLM would welcome any help in prioritizing or in any other way to help this process along. The Resource Management Plans set general guidance for BLM's access program. A handout on access was passed around and quickly reviewed.

One site identified for access is the Powder River Depot in Prairie County on the Yellowstone River. It is an important historic site in regards to both Lewis and Clark and the Calvary. This site cannot be developed without access which is across the BN railroad. The Prairie County Commissioners are willing to negotiate a deal for the BLM with BN to provide access. If the BLM were to commit to putting dollars into the development of this site there is a possibility BN will carry the burden of the cost of providing a crossing. The county would be responsible for upgrading the road. Cost sharing and work responsibility options are open and will be explored. Several alternative funding opportunities were discussed including an initiative the former Cherry Creek group has under way to put money towards a worthy recreation opportunity. There may be a role for the FW&P at this site also.

The FOs have identified all kinds of areas as potential access projects. The FW&P has been very helpful in signing Public Land for BLM with general "Entering" and "Leaving Public Lands" signs. A question was asked on how do we determine access issues? Someone usually identifies a need. This is done in various ways and from various sources such as sportsman groups, landowners, etc. The BLM also works with the FW&P and uses their knowledge to identify needs.

On the weekend of July 10, BLM will host a campout/work day to put the finishing touches on the Quietus Loop access road. Invitations will be forthcoming to all interested parties, groups, locals, etc.

Don Hyypa, FW&P Regional Supervisor, presented an overview of access as it relates to the FW&P. In Eastern MT there are two priorities in the wildlife program, habitat and access. A good deal of attention is being given to access, part of which is an eventual travel management plan. The FW&P is very open to the idea of partnering as no one entity really has the resources to go around. Access is important, but being ready to give stewardship and management of that is equally important.

Specifically, the Tongue River corridor is one area they intend to give a lot of attention to. It is very rich in terms of wildlife and habitat diversity. Basically it has been untouched because its been protected by the agricultural community. Due to the Tongue River Dam project, the Tongue River Railroad, and the fact that agriculture and economics are such that people living in the Tongue River basin are looking at other ways of staying on the land, the character is changing and there is increasing pressure on the corridor.

A comment was made on the need to develop a "Big Picture" on access as a whole with all interested parties. The RAC should be actively involved on a regional level and individual members should physically participate in the inventory and development of recommendations process for identified priority areas. It was also felt county commissioner(s) in each county need to become involved at the local level.

A comment was made on how the general use of Reservation land over the years has made a negative impact on the gatherings of plants for necessary cultural purposes and the need to be able to broaden the search. Some plant gatherings can be exploitative and not relevant to culture, so access can have a different meaning than just getting onto the land. It is what we have access to.

The fact that there are folks moving to this area and buying land who don't know or care about what our culture is and are redefining the west was also addressed. Acting on good faith or your word doesn't mean anything anymore.

There are some things involved in this issue we have no control over. People can close the public from public land and public resources and sell that for sizeable amounts of money. In fact there is great incentive to do so. There is no incentive for them to be "good guys", the incentive structure is wrong.

The group formed a sub-committee consisting of Bill Kennedy, Ernie Robinson, Bernie Lea, Becky Kallevig, Dwayne Andrews and a representative from each Field Office, who will be responsible for coming up with recommendations on how to tackle the access issue.

## **Project Updates**

The Lewis and Clark (L&C) commemoration will be from 2003-2007. The BLM manages more than 300 miles of L&C trail. As the bicentennial approaches the BLM is not only preparing for visitors interested in walking in the footsteps of L&C but are also taking action to leave tangible, on the ground, lasting legacies for future generations.

It is anticipated there will be a huge influx of visitors leading up to and particularly during the bicentennial. Visitation will not only increase at developed sites but also along the whole trail. Even after the celebration, expectations are there will be a continued influx of visitation.

The Pompeys Pillar Interpretative Center will be open by the start of the commemoration. MT DOT is interested in building a rest area at this site. The BLM will go through the planning process and



determine if that is the best proposal for the area.

Clark Day is July 25. There are a number of activities scheduled beginning the evening before and during the day.

Due to time constraints, Hugh Livingston agreed to stay after the meeting to discuss the weed program, GPS inventory, and the "Bugalator".

### **Evaluation/Wrap-up**

The next meeting is scheduled for:

Date: July 14-15

Location: Lane Deer

A tribal presentation and a field trip to visit coal bed methane sites will be incorporated into this meeting.

# **Miles City District Resource Advisory Council Meeting**

**Billings, Montana**

**January 13, 1999**

## **Attendance**

RAC: Eldon Rice, Bill Milton, Ken Deaver, Dwayne Andrews, Don Allen, Bill Kennedy, Bernard Lea, Bucky Heringer, Jim VanArsdale, Becky Kallevig

Public: Gene Anderson representing Rimrock 4X4, Marty Ulrich representing MT Trail Vehicle Riders Assoc., John Gibson representing Public Lands Access Assoc.

BLM: Tim Murphy, Sandy Brooks, Marilyn Krause, Todd Christensen, Dave Breisch, Phil Gill, Dave Squires, Dale Tribby, Larry Rau, Linda Reder

## **Welcome/Introductions**

Sandy introduced and welcomed everyone. Marilyn followed up with some housekeeping items. As there was not a quorum it was agreed that any resolutions would be handled by ballot for finalization. The group reviewed the ground rules and the agenda.

## **Field Manager Updates**

As a result of BLM's organizational change to two-tier, Miles City and Billings are now separate Field Offices and as such, each FO reports directly to the State Office. The RAC has always been the Miles City RAC and Tim asked the group how they felt about a name change to show involvement of both FOs and to perhaps have more geographical representation. Everyone agreed and ideas would be addressed later in the meeting.

Five RAC members' terms will expire in August of this year. All of these members are eligible for re-nomination for a successive term. Though a little premature Tim asked the group to keep this in mind and to give consideration to the need for representation of other interests such as OHV users.

Tim updated the RAC on Federal Wildland Fire Management Policy. The focus of the policy is to reduce the risk and cost of severe wildland fires, and when and where possible, reintroduce fire's natural role on the land. Firefighter and public safety continue to be the first and highest priority. A comment was made to Tim of the need for BLM and fire experts to put forth more efforts to educate and convince the public on the need for prescribed burns.

On February 24, at the MACO meeting in Helena, Tim, Dwayne Andrews, and Pat Hedges, Miles City Fire Chief, will provide a presentation on this topic.

Sandy provided further information on Pompey's Pillar. They are working towards construction of a

\$5.4 million visitor center in cooperation with the Pompeys Pillar Assoc. Two million has already been appropriated for construction and the DOT is considering allocating 1.5 million of transportation dollars towards a rest stop that would probably include an off ramp and road to the center. Also, the Pompeys Pillar Assoc. is working on a 2 million dollar match to the appropriation. The Association has also just recently found out they qualify for a grant from the Murdock Foundation.

The BiFo is close to finalizing the Larsen acquisition known as Sacrifice Cliffs, just south of Billings. They are working in partnership with Yellowstone Parks Assoc., who will provide a caretaker. They are also working on a management plan for the site. This has been a great project with support from Congressionals, the Mayor, and County Commissioners. Vince and Louise Larsen donated a great deal of the property by putting a conservation easement on it. Sandy asked the RAC to consider this site for a future field trip.

A question was raised as to the status of the proposed name change of Pompeys Pillar. The comment period is still open and to date there has been a large amount of local opposition to the name change.

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The group agreed to postpone the Q&A time for the Briefing Statements to later in the meeting.

### **Travel Management Guidelines**

The 8th and final revision of the Travel Management Plan (TMP) guidelines were mailed in late October. This final version also included a history of the process and a narrative. A number of people participated in this endeavor and everyone's time and effort is greatly appreciated.

One concern raised was the need to address off road use such as camping and firewood and Christmas tree gathering.

Tim addressed the Statewide Amendment regarding travel management. Following the Statewide RAC meeting, other MT/DAK RACs began discussions about the need for consistent area wide travel management planning. The BLM MT/DAK managers agreed to amend Land Use Plans (LUPs) and just recently the FS committed to this as a joint agency effort. The proposal is to limit use on land administered by the BLM and FS within Montana and the Dakotas to existing roads and trails. This will require the amendment of BLM and Forest Service LUPs. The effort is scheduled to begin now and finish in January 2000.

The question posed by many MC-RAC members in recent weeks has been: where does that leave us with our guidelines? Tim and Sandy view this as a two prong strategy. The current LUP amendment process is expected to include many or all of the issues associated with the proposed guidelines. At the conclusion of the amendment process, the proposed guidelines would then be considered as they align with newly amended LUPs. If the guidelines do not conflict with LUP decisions, the guidelines can be adopted through an Administrative Determination (AD). If some did conflict, the NEPA process would focus only on the areas of conflict between the proposed guidelines and LUP decisions.

The other part of the strategy is the status of the guidelines during the next year. The guidelines would be used as day to day guidance when the BLM has proposals for land use that involve vehicle use.

A question was asked - what happens when the BLM takes the guidelines to the public? What will be brought to the public during this year long effort will be the proposal to limit use to existing roads and trails and all the associated issues such as exceptions to travel on existing roads and trails for game

retrieval, business operations, etc. We are the only offices that have guidelines proposed from a RAC. The guidelines will serve as the criteria or protocol that will be applied to development of activity plans. Activity planning will follow the amendment and focus on priority areas.

A question was raised as to the connection with the FS. Most of the forests in MT don't have restrictions for off road use. When the FS studied the BLM's initiative, the FS made a decision to join the effort. The combined effort by both agencies can provide for enhanced land management in a manner that is consistent across agency boundaries in Montana, and the Dakotas.

A comment was made that there will be a future need to sit down with communities and it would be helpful to have a road inventory in place. There are a couple of approaches to the inventory. One, to do an exhaustive inventory that would take many years before we chose our priority areas. What more than likely will happen is that some areas of intensive interest to the public for better managing vehicle use would be identified and this would be the driver for inventories to be done. Activity planning would follow for those priority areas. The BLM is looking at ways to tap into other efforts that are going on to provide us with information.

The BLM was encouraged to not consider the inventory a minor or less important aspect. It isn't felt the public understands what is intended and travel management will not be implementable without maps.

A question on what the time frame would be for adoption of the guidelines through an AD was raised. If the guideline is addressed in the amendment EIS, then less than 90 days is probable, and if it is not addressed, the time frame would be dependent on the complexity of the issue(s).

A RAC member asked the BLM if there was any way they, the RAC, could be a player in the Statewide amendment process. The BLM would like to see this group very involved

in the process - for instance at open houses, public meetings, and in visiting with counterparts in their areas of interest as well as the public at large to identify issues and means to address them.

Also asked was if it was found as we go along that there are guidelines that aren't being addressed, is there any way to ensure they do get addressed. If it appears that one or more of the guidelines are not being addressed, the opportunity for involvement is available.

The RAC present agreed to adopt the TMP guidelines with the inclusion of additional off road exceptions verbiage to guideline #12 as so written in the Big Dry RMP.

Because a quorum was not present, it was agreed a letter of agreement/non-agreement would be sent to all 15 members stating the recommendation to adopt the TMP guidelines, inclusive of the change to guideline #12 as noted above. The members will officially agree to or not agree to the recommendation through this ballot process. The members also agreed the sub-committee members would determine the final additional language.

## **Road Issue**

At the prior meeting Bill Kennedy agreed to respond to the question of whether counties can transfer roads to another government agency. In reviewing county statutes it appears this cannot happen. The county can contract or assign maintenance of roads but liability stays with the county, even if the contract or assignment includes indemnification language.

The only way to really go through all of this is to petition to alter or abandon a road through a vacation. The statutes show the commissioners then have the authority on how to split a road once its been vacated. They don't state that once vacated the road can be given to someone else or another government agency.

So the options available to counties are:

- Close the road
- Vacate the road
- Continue to maintain the road
- Enter into maintenance agreements with other entities (still liable)

Reciprocal maintenance agreements have been pursued by the BLM and counties where no ownership is transferred.

### **Land Exchange Resolution**

Bernie Lea passed around the final version of the Land Exchange Resolution. This resolution states that the RAC supports Land Exchanges as a tool for land management. As there was not a quorum present, the acceptance of this resolution will be mailed to all RAC members in a letter of agreement/non-agreement.

### **Standards and Guidelines Implementation**

Dale Tribby, MCFO Renewable Resources Workleader, updated the group on Standards and Guidelines (S&Gs) implementation as well as the grazing permit renewal process. As a result of recent Washington Office (WO) mandates, NEPA analysis must be done prior to renewing grazing permits. Also, 1999 happens to be the year when a large percent of 10-year permits Bureauwide are up for renewal. MCFO has over 2000 allotments, and thus a monumental workload over the next few years. This year they have been given until 9/30/99 to complete the NEPA process. Thereafter the process must be completed by 2/28.

At this time, the permit renewal NEPA process has been given a higher priority than S&Gs which will impact the S&G assessment schedule. The staff has identified steps to help achieve the requirements. The level of environmental analysis increases as the public acreage within the allotment, as well as the management opportunities increase. In addition, when resource management concerns, such as T&E habitat, riparian and water quality are present, the level of environmental analysis will increase. The majority of our staff's effort will be spent on larger allotments not meeting S&Gs. These larger allotments will likely require individual EAs. The key strategy is to assess S&Gs as a part of NEPA documentation for permit renewals.

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Sandy clarified that when the schedule for S&G implementation was determined, the NEPA analysis workload to renew permits was not planned. The BLM had been using the assumption the grazing EIS' done in the 70's and 80's and the LUPs addressed the grazing program. As a result of the Comb Wash lawsuit, our WO determined these grazing EIS' were not specific enough. In order to renew permits, we now need to do site specific NEPA on each allotment.

Billings doesn't have the same work load as Miles City. They predict they will be able to complete S&G assessments as well as the NEPA documents on all permits that are up for renewal.

A question was asked if there is any opportunity on a National level to provide additional funds for contracting part of the workload, or opportunity for SO staffing help. There is no additional funding available and the SO is helping by supplementing the lack of funds with flexibility on WO mandates so these mandates are now doable.

A question was raised on how many folks in the MCFO are working on this permit renewal process. Approximately 12 people spend at least part of their time on this. The problem foreseen is there is only one Wildlife Biologist and one Hydrologist and both of these individuals have tremendous workloads in addition to being key players in assessments.

### **Public Comment Period**

Marty Ulrich, representing Montana Trail Riders Vehicle Assoc., addressed several comments to the group. A concern was expressed with the abandonment or closure of roads for liability or maintenance reasons.

As far as the TMP guidelines, most of the maps available were done in the 70's, and back then ORV was not an issue. A lot of things have happened since the maps were updated. The public needs to be heavily involved in the inventory process and in the decision making process. As part of this, the public also needs to be informed on how this process will affect them as public land users. There will be conflicts along the way and the public needs to play an important role in determining and solving issues.

Marty was asked how the group he represents felt about the TMP guidelines. They are satisfied with the guidelines. A concern, however, is with planning for future use which is largely unknown.

John Gibson, representing several groups including Billings Rod and Gun Club, SE MT Sportsman's Assoc., MT Wildlife Federation, and Public Lands Access Assoc. (PLAA), then addressed the group. Of primary concern is roads and access to public lands.

Right now PILT is only being funded at a little over half of what was originally committed. A lot of that money went towards things such as road maintenance and the counties are hurting from this. The PLAA have fostered a resolution with the MT Wildlife Federation encouraging the current Administration and Congress to fund PILT at the 100% level.

Also, part of the PILT formula deals with commodity production. This causes a fluctuation in terms of dollars counties receive annually. They would like to see PILT based on a formula more in tune with acres of land in the county and perhaps the population.

The idea of county road abandonment is very serious and they believe something needs to be done to remedy that, realizing that often the counties are in a pinch and have higher priorities than maintaining a road. John felt the BLM, under FLPMA, is mandated to provide adequate access and to manage lands for multiple use. The point being that it is not just a local issue when a county abandons a road.

A bill, Revision of Laws Governing Road Abandonment, is being proposed that would change or include in the statutes the right of the county to offer the jurisdiction of that road to any public land management agency who has land that would become inaccessible if that road was abandoned.

A question was asked as to what the guidelines are for the use of PILT funds. These funds are not specifically earmarked for roads and trails. The purpose of PILT is to mitigate the impact of Federal

lands within a county.

Todd then updated the group on the Quietus Loop Road. The BLM was able to put in a road late last fall. This was actually a matter of tying several existing two-track

trails together. There is some additional work required. The BLM is planning a field activity in late spring or early summer with interested groups, individuals, and local landowners to complete signing and some minor construction, and discuss access issues in eastern Montana.

### **T&E Species Management - Prairie Dog Listing**

Larry Rau, MCFO Wildlife Biologist, addressed this issue. There is a lot of concern on what is going on with the listing of the prairie dog. To temper some of these concerns, Larry noted it is a very complex and lengthy process to list a species.

The petitioner for listing is the National Wildlife Federation (NWF) based on four arguments:

1. Keystone species - the habitat provides for other species
2. Historically reduced populations
3. Populations are isolated, fragmented, and highly susceptible to disease
4. Highly competitive with livestock

The Fish and Wildlife Service's (FWS) response is currently out for review. Their response is as to whether the NWF arguments have merit or not. Assuming the scenario there is merit to the arguments, the FWS will then ask for an additional year to solicit comments and conduct further data review. If at that time the listing is considered warranted, another year will be used for public comment to the listing proposal. What happens then is only speculative.

The most recent evaluation done on prairie dogs was in 1996. In 1980 there were an estimated 120,000-130,000 acres of prairie dog towns statewide. Now estimates are only 67,000 acres statewide. The decrease was due in large part to a break out of the plague.

A question was asked as to why some areas were more heavily populated than others. 94% of towns are on flat terraces or gently rolling uplands. Most of the populations occur in rangelands where the natural function has been maintained and not been converted to farmland.

Don Allen made a comment in regard to the passenger pigeon. The pigeon's survival mechanism is thought to have been in their ability to exist in great numbers. We may need to reconsider the treatment of prairie dogs as surplus. Because of a lack of knowledge, we don't know the threshold of this species.

A question was asked if the biologists found that larger ranches were more tolerant of towns. Bill Milton felt this is true to some extent due to a greater land resource area in which to operate, more opportunities for flexibility.

Prairie dogs affect many other species, such as the mountain plover, burrowing owl, and black-footed ferret. It is anticipated that as more species come on line as threatened/endangered, the importance of the prairie dog will continue to be elevated.

A question was asked if there is an intermediate classification. There is the "Candidate Species list"

which means that the species is warranted for listing, but the species has a lower national priority/significance than other species currently being evaluated. This gives agencies time to gather more information and allows the use of special rules under the Endangered Species Act. The special rules allow agencies to develop management direction that prevents further decline in prairie dog habitat during the interim listing period. There was discussion regarding the short time frame two years represents regarding the ability to gather data to be used in future decisions.

### **Miscellaneous Topics/Q&As**

The group agreed that at some point they would like to have a field trip to visit coal bed methane operations in Big Horn County.

A question was asked as to when the next wild horse gather was scheduled. The first step is to update the Herd Management Plan. Once this is completed, then plans will begin for a gather, possibly in the year 2000.

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In response to a question on the name of the local group involved with the Wolf Point Bridge, the group is the Lewis and Clark Preservation Committee.

Sandy stated the existing lease in Weatherman Draw is causing concern. If it weren't for this existing lease there would be no drilling. Native Americans and the Sierra Club are opposed to drilling and some of the concerns expressed are with impacts to the rock art and religious values. Question and answer meetings are being held regarding the proposal to drill. A site tour is scheduled January 21. If any of the RAC members are interested in attending they need to let Sandy know.

Discussion followed on whether the RAC felt they were effective in letting folks know what they were doing and other ways they could support the BLM. The group agreed there was a need to get information to the public on who/what the RAC is through various means.

Echinacea gathering is becoming an issue in Montana. The Native Plant Society is introducing a bill asking for a statewide moratorium on gathering on State trust lands. Collectors are receiving all time high prices for this plant. There is an unsubstantiated marketing position that wildcrafted (collected on wildlands) Echinacea plants have more medicinal value than cultivated plants. Commercial collection has been reported from areas surrounding Sidney, the Ashland Ranger District, and the Fort Peck Reservation. BLM has four means to authorize collection: 1) free use such as when an individual uses the plant on site; 2) free use permits can provide for limited quantities for educational institutions; 3) commercial use permits require an application and normally an environmental assessment; 4) personal use permits. BLM MT/DAKs will continue to develop policy on permitted use pending the outcome of the proposed legislation regarding State trust lands. The herbal industry should be encouraged to buy only cultivated plants.

Tim mentioned the MCFO Web page is now on line and asked for feedback from the group. Tim advised on the office proposal to add an employee directory by discipline, employee name, telephone number, and e-mail address, toward enhanced public service. The RAC unanimously agreed that would be helpful to the public.

Possibilities for a RAC name change were tabled until the next meeting.



**Wrap-up**

The next meeting is scheduled for:

Date: April 28-29

Location: Miles City

Tentative Agenda Items:

- Access

- Noxious Weeds

- Pompeys Pillar Update

- RAC Goals

- Back-Country By-ways